

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CORDNEY JACK TRAVIS,)
Plaintiff,)
v.) No. 4:23-cv-01276-SEP
)
FAMILY SUPPORT DIVISION OF THE)
MISSOURI DEPARTMENT OF)
SOCIAL SERVICES, et al.,)
Defendants.)

MEMORANDUM AND ORDER

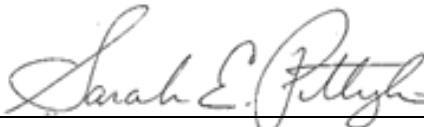
Before the Court is self-represented Plaintiff Cordney Jack Travis's Motion to Accept Amended Complaint and Relate Back, Doc. [8]. On July 19, 2024, the Court dismissed Plaintiff's complaint for lack of subject matter jurisdiction and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B). *See* Docs. [6], [7]. Seeking to amend, Plaintiff invokes 42 U.S.C. § 1983, alleging his right to due process was violated when his driver's license was suspended in 2017 without adequate notice and an opportunity to be heard. Doc. [8] at 2-3.

Although a district court "should freely give leave [to amend] when justice so requires," Fed. R. Civ. P. 15(a)(2), plaintiffs do not enjoy an absolute or automatic right to amend a deficient . . . [c]omplaint." *United States ex rel. Roop v. Hypoguard USA, Inc.*, 559 F.3d 818, 822 (8th Cir. 2009) (internal quotation omitted). Moreover, "interests of finality dictate that leave to amend should be less freely available after a final order has been entered." *Id.* at 823; *see also In re Medtronic, Inc., Sprint Fidelis Leads Prods. Liab. Litig.*, 623 F.3d 1200, 1208 (8th Cir. 2010) ("Post-dismissal motions to amend are disfavored.").

Plaintiff's proposed amended complaint would not remedy the deficiencies in his original complaint. In particular, his claims regarding the suspension of his license are time-barred under the five-year statute of limitations applicable to § 1983 cases. *See Sulik v. Taney Cty., Mo.*, 393 F.3d 765, 767 (8th Cir. 2005). Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Accept Amended Complaint and Relate Back, Doc. [8], is **DENIED**.

Dated this 6th day of February, 2025.


SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE